

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SHIELDMARK, INC.)	CASE NO. 1:12-cv-00219-DAP
)	
Plaintiff,)	JUDGE DANIEL AARON POLSTER
)	
v.)	
)	<u>UNOPPOSED MOTION TO VACATE</u>
ERGOMAT, LLC,)	<u>DEFAULT JUDGMENT AND TO</u>
)	<u>DISSOLVE PERMANENT</u>
Defendant.)	<u>INJUNCTION</u>
)	

Pursuant to Federal Rule of Civil Procedure 60(b)(5), Plaintiff ShieldMark, Inc. (“Plaintiff” or “ShieldMark”), by and through counsel, moves this Court to vacate the default judgment and dissolve the permanent injunction entered by default on July 12, 2012, on the ground that the parties have resolved their differences and that the application of the default judgment is no longer equitable. With the vacation of the prior judgment, the within action may be dismissed with prejudice at plaintiff’s costs.

A proposed Order is attached hereto as Exhibit 1.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of the foregoing **Unopposed Motion to Vacate Default Judgment and to Dissolve Permanent Injunction** was filed electronically on this 30th day of July, 2012. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Martin J. Pangrace